

Rejection Under 35 U.S.C. § 103

The Examiner rejected claims 1-4 and 6-20 as being obvious under 35 U.S.C. § 103 over Applicants' own prior art admissions on the record at page 2, first paragraph; page 12, lines 1-14; and page 14, last paragraph. Applicants respectfully request reconsideration and withdrawal of the rejection.

In an Interview Summary summarizing an interview of December 4, 1999, the Examiner stated the following:

The examiner indicated that an advisory action would be forthcoming wherein the obviousness rejection has been maintained because there is no data showing unexpected results using the now claim[ed] hydrophobic polymers versus the SepPak C18 material in the desalting and concentrating of nucleic acids. Ms. DeVoe indicated that the applicants would provide just such data to overcome the outstanding rejection.

In an Interview Summary summarizing an interview of July 28, 2000, the Examiner stated the following:

Declaration was submitted in response to a request by Examiner Kunz in an interview dated December 4, 1999. The declaration was sufficient in presenting evidence to overcome the rejection of record.

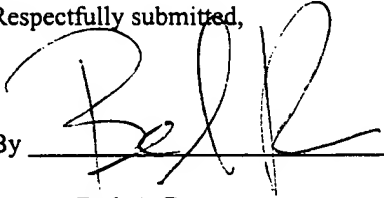
Attached herewith, please find a copy of a Declaration by Steven L. Gatton which was submitted to the Examiner in the interview of July 28, 2000. The declaration provides experimental data obtained from experiments which involved desalting and concentrating nucleic acids using the hydrophobic base matrix of the present invention (PRP-1) and Waters Prep C18. Improved and unexpected results including pH range of use, increased capacity and decreased leaching during the wash step are observed for PRP-1 as compared to the C18 columns. The improved and unexpected results overcome the Examiner's rejection of claims 1-4 and 6-21 as being obvious over Applicants' own prior art admissions on the record at page 2, first paragraph; page 12, lines 1-14; and page 14, last paragraph.

CONCLUSION

As the above-presented amendments and remarks address and overcome all of the rejections presented by the Examiner, withdrawal of the rejections and allowance of the claims are respectfully requested.

If the Examiner has any questions concerning this application, he or she is requested to contact the undersigned.

Respectfully submitted,

By 

Beth A. Burrous
Attorney for Applicant
Registration No. 35,087

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FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5475
Facsimile: (202) 672-5399

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees, and applicant(s) hereby petition for any needed extension of time.